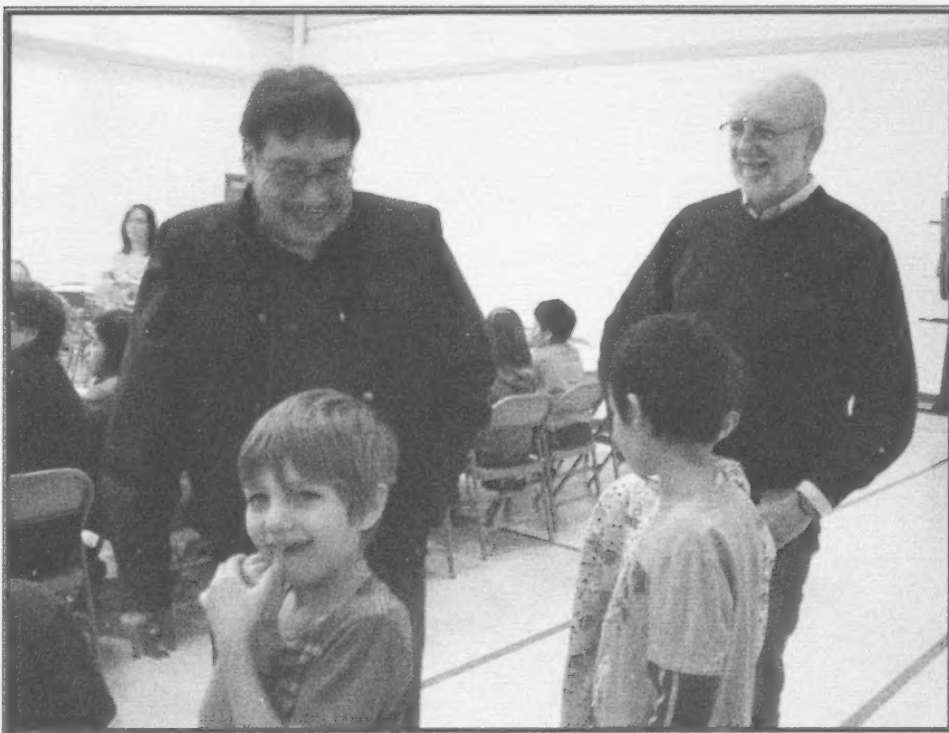




# METIS SETTLEMENTS APPEAL TRIBUNAL



Tribunal members visiting with students at Hillview Elementary in East Prairie Metis Settlement

## ANNUAL REPORT 2011

### **Report**

211(1) On or before March 31 in each year, the Appeal Tribunal must give to the Minister and the General Council a report for the year ending on the preceding December 31, showing

- (a) the nature of its activities;
- (b) the general manner in which it dealt with matters coming before it; and
- (c) any other matter that the Minister directs.

(2) The Minister must table the Appeal Tribunal's report in the Legislative Assembly if it is then sitting or, if it is not sitting, within 15 days after the commencement of the next sitting.

*[Metis Settlements Act, R.S.A. 2000]*

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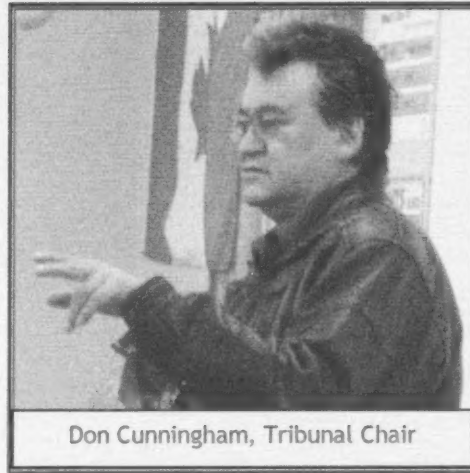
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## A message from Don Cunningham Tribunal Chair

Tansi:

I am delighted to present the Metis Settlements Appeal Tribunal's Annual Report for 2011.

There are two parts to this report. The first part tells the story of who we are and about our mission. It also tells the reader about how the Appeal Tribunal handled the appeals before it in 2011. The second part of this report tells the reader about how the Tribunal improved its dispute resolution processes in 2011.



As you read this report, the following principles will also become clear. Firstly, the Appeal Tribunal is committed to preserving and enhancing Metis culture and identity, and to furthering the attainment of self-governance by Metis Settlements under the laws of Alberta. We do this by promoting dialogue and local solutions to those matters brought before it. When local decision-making processes do not bring the matter to a satisfactory conclusion, the Appeal Tribunal holds hearings and issues decisions that identify and clarify the laws that apply on the Metis Settlements.

Secondly, the Appeal Tribunal believes that it can, and should, strive to improve its dispute resolution services from year-to-year. In 2011, the Appeal Tribunal did this by orienting and providing supports to Tribunal Board members who were appointed to new four year terms in December 2010 and by revamping and improving its Rules of Procedure to make it easier for participants to understand and use the Appeal Tribunal's dispute resolution services.

Thirdly, the Appeal Tribunal believes that all parties and stakeholders are to be respected. In 2011, it was the Appeal Tribunal's great privilege to meet with Settlement youth, elders and members in a series of community workshops. The Appeal Tribunal is also very appreciative of the open dialogue it enjoys with the Metis Settlements General Council leadership and with the Minister's Office and Departmental staff.

It continues to be my great honour and privilege to serve as the Chair of the Metis Settlements Appeal Tribunal and my deepest thanks go to my Tribunal colleagues and staff for their excellent advice and service in 2011.

*Don Cunningham*

Chair, Metis Settlements Appeal Tribunal



## Part I – Background and Appeals Work in 2011

### Who we are

The Appeal Tribunal consists of seven members (the Board). Three were appointed by the Metis Settlements General Council and three were appointed by the Minister of Alberta Aboriginal Relations (now Intergovernmental International and Aboriginal Relations). The Chair was appointed by the Minister from a short list of candidates provided by General Council.

The current Board (which includes three returning members) was appointed to a four year term in December 2010. Board members are committed to exercising their powers and duties with a view to preserving and enhancing Metis culture and identity and furthering the attainment of self-governance by Metis Settlements under the laws of Alberta.

The Appeal Tribunal also has a staff of seven people. Our staff and Tribunal members work together to ensure the Tribunal's investigations, hearings, and mediation processes are run in a consistent, fair, and culturally appropriate manner.



**Appeal Tribunal Board to December 2014**

L to R: Wayne Cardinal, David Drummond, Dorothy Anderson, Don Cunningham, Joyce Parenteau, Peter Bowal and Allan Lamouche

### Our mission

The Appeal Tribunal's mission is to strengthen Metis self-governance and to preserve and enhance Metis culture and identity by resolving disputes through effective and fair culturally appropriate mediation, adjudication, and education initiatives.

## Appeals in 2011

The vast majority of appeals brought before the Appeal Tribunal are land disputes. These are followed (distantly) by disputes about membership, descent of property and applications for surface/oil and gas access and compensation. (See table 1.1.)

New Appeals Received			
	2009	2010	2011
Membership	5	4	3
Land Disputes	18	10	18
Surface Access / Compensation	6	4	3
Descent of Property	1	4	3
ELLAP	—	—	—
Trespass	1	—	—
Other	1	—	—
<b>New Appeals</b>	<b>32</b>	<b>22</b>	<b>27</b>

Table 1.1

Whatever the dispute, the Appeal Tribunal's first priority is to explore whether the matter can be resolved locally. We do this because this approach is consistent with that part of Metis culture and identity that is defined by strong ties between family, neighbours, and community partners.

This approach is labour intensive and requires repeated and sustained contact directly with community members, local administrations, leaders, and other stakeholders. (See table 1.2.) More importantly, this approach yielded the desired outcome in that of the 24 matters brought to a close in 2011, more than half (15) were concluded through the work of Tribunal staff and Tribunal members to facilitate local solutions to the disputes at hand. (See table 1.3.)

Contact Reports <sup>1</sup>			
	2009	2010	2011
Membership	69	65	37
Land Disputes	509	287	353
Access / Comp.	253	99	113
Descent of Property	—	144	126
<b>Totals</b>	<b>831</b>	<b>595</b>	<b>629</b>

Table 1.2

Matters Resolved Before Hearing Stage			
	2009	2010	2011
Membership	1	4	1
Land Disputes	7	9	9
Access/Comp.	10	3	4
Descent of Property	—	1	1
<b>Totals</b>	<b>18</b>	<b>17</b>	<b>15</b>

Table 1.3

<sup>1</sup> Contact reports are generated when Tribunal staff talks with Settlement members and others on the phone or in person. When other matters are included, such as the Court of Appeal, ELLAP, Mediation, Outreach and Administration, the overall contact numbers total 1369 (in 2009), 1484 (in 2010) and 1779 (in 2011).

When disputes could not be conciliated or mediated, hearings were held and (nine) decisions were issued by the Appeal Tribunal. (See table 1.4.) In each decision, the Appeal Tribunal identified the issues in dispute, determined the facts, and clarified (through written reasons) the laws that apply on the Metis Settlements.

MSAT Decisions			
	2009	2010	2011
Membership	2	2	1
Land Disputes	6	8	5
Descent of Property	1	2	3
Surface Access / Compensation	2	--	--
Timber	1	--	--
Trespass	--	--	--
Conflict of Interest	--	2	--
Total Decisions	12	14	9
Land Access Panel - LAP Orders			
Amendments to Right of Entry and Compensation Orders	147	75	22

**Table 1.4**

Every decision of the Appeal Tribunal is sent to the parties who participated in the dispute. The decisions are also posted in the Appeal Tribunal's website. Summaries of the decisions, which set out the Tribunal's interpretation and application of laws on membership, land disputes and descent of property, may also be found in Appendix 1 of this report.

The Appeal Tribunal takes care to provide notice in writing to every participant/affected party of his/her/their right to appeal Tribunal decisions to the Alberta Court of Appeal on questions of law or jurisdiction.

In 2011, the Court of Appeal granted leave to appeal on two Tribunal decisions involving descent of property and land issues. It is anticipated that both matters will be concluded in 2012. The Appeal Tribunal—which is committed to improving and properly applying its understanding of Settlement laws—will carefully consider and apply the findings of the Court of Appeal once they are released.

In 2011, the Land Access Panel—which is a Panel of the Appeal Tribunal, and which selects its membership from the stock of seven Tribunal members—issued 22 orders amending right of entry and compensation orders. The Existing Leases Land Access Panel (ELLAP) was not called upon to issue any new right of entry orders or to set any new compensation rates in 2011.



## **Part II – Building Capacity**

### **Key objectives and Outcomes**

The Appeal Tribunal identified three key objectives in its Business Plan for 2011 – 2014.

The Appeal Tribunal's first objective for 2011 was to resolve all disputes in a timely, cost-effective, fair and independent manner. Its key strategies for accomplishing this objective included revising its Rules of Procedure, exploring and applying conciliation and mediation options at every opportunity, and evaluating the core competencies of Tribunal members and staff and tailoring training initiatives to address areas of need.

The Appeal Tribunal spent several months reviewing and revising its Rules of Procedure. Members of the Appeal Tribunal and staff identified gaps and areas of the existing Rules of Procedure that were unclear. This same team examined rules of procedure from many other tribunals and agencies to determine key standards and best practices. The team then revamped the Appeal Tribunal's Rules of Procedure and submitted the new Rules to the full Appeal Tribunal Board for its review.

The new Rules of Procedure clearly identify the key stages of the Appeal Tribunal's dispute resolution process, and how to work through each stage. The new Rules also include the Appeal Tribunal's contact information on every other page so that when questions emerge about the application of the Rules, users can easily relay their questions or concerns directly to the Appeal Tribunal.

The Board approved the new Rules of Procedure on February 17, 2011 and the Rules were distributed to all stakeholders. Copies of the new Rules of Procedure are also available on the Appeal Tribunal's website—complete with forms that can be filled in online—and the Rules are also sent to all parties involved in a dispute, or who are considering using the Appeal Tribunal's dispute resolution services. The Appeal Tribunal also uses the new Rules of Procedure as a teaching tool whenever we meet with community members and other stakeholders as part of our community outreach work.

The strategy of applying conciliation and mediation options at every opportunity to resolve matters has had the desired effect of reducing the length of time to resolve matters brought before the Appeal Tribunal. In real numbers, it took the Appeal Tribunal an average of 11.5 months to conclude appeals in 2010. In 2011, that number was reduced to 10.1 months. This represents a 9% increase in efficiency in services over a one year period.

The Appeal Tribunal has also enjoyed a significant reduction in the time it takes to render a decision from the date a hearing is held. On average, the number of weeks that pass from the hearing date to the decision date has dropped from a high of 11 weeks in 2010 to 5.4 weeks in 2011. This represents a remarkable improvement of 59% in the time it takes to issue a decision after a hearing.

With the appointment of a new Tribunal Board in December 2010, work was done to quickly orient the new Board and to evaluate the strengths and areas of need of the Board. In February 2011, Tribunal members attended an in-house multi-day workshop on the history of the Metis



Settlements, the *Alberta-Metis Settlements Accord*, and also received instruction concerning the standards for conducting appeals and writing decisions.

The Tribunal members and staff also participated in a confidential self-evaluation exercise in 2011 and multi-year training plans were developed to address areas of need and interest.

With its continued dedication to enhancing and improving its dispute resolution services, the Appeal Tribunal is well positioned to address existing and new appeals in a timely and fair manner. (See table 1.5.)

<b>MSAT Business</b>			
	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Carry Over</b>	28	29	18
<b>New Appeals Received</b>	32	22	27
<b>Subtotal A</b>	<b>60</b>	<b>51</b>	<b>45</b>
<b>MSAT Decisions</b>	12	14	9
<b>Conciliated / Mediated Files</b>	8	10	11
<b>Withdrawn / Closed Files</b>	10	8	4
<b>Subtotal B</b>	<b>30</b>	<b>32</b>	<b>24</b>
<b>Appeals Remaining Active Subtotal A - Subtotal B</b>	<b>30</b>	<b>19<sup>2</sup></b>	<b>21</b>

**Table 1.5**

The Appeal Tribunal's second objective for 2011 was to be accessible to all stakeholders. As set out in its Business Plan for 2011 – 2014, three key strategies were developed to achieve the objective. The first strategy was to write and speak plainly. The second strategy was to meet directly with Settlement members and other stakeholders to explain our processes. The third strategy was to secure support to move our offices to a location that is more accessible.

With respect to the first strategy, the Appeal Tribunal took care to write and speak plainly. When the situation required, it also offered its services in Cree so that all participants could better understand its processes and the issues at hand.

The Appeal Tribunal also developed and launched a Facebook Page in 2011. As proven by millions of Facebook users, (and especially "young users,") this platform is easy to access and use. The Appeal Tribunal's Facebook Page contains information about our processes, pictures, and updates about upcoming hearings and other events.

Our second strategy was to meet with people. Our tours of Buffalo Lake, Kikino, Gift Lake, Peavine and East Prairie provided tremendous opportunities for dialogue and increased

<sup>2</sup> In 2010, the Appeal Tribunal resolved two appeals with one decision, which is why 18 (and not 19) appeals were carried over to 2011.

understanding of local issues. We heard many positive comments from elders and others who participated in the community meetings. Many members are proud of the fact that the leadership of the Metis Settlements achieved what no other Metis group in Canada has achieved; namely, the development of a working framework for Metis self-governance. Many also expressed their appreciation for the Appeal Tribunal's commitment to meet with Settlement members and others to explain the Tribunal's mandate and how to use its services.

However, the Appeal Tribunal also heard that many members are concerned about the future of the Metis Settlements. Some are deeply concerned about the question of Metis identity and recent court cases on the subject. Others are concerned about whether their communities are economically sustainable.

With respect to the Appeal Tribunal, some members are concerned about the quality of services provided by the Appeal Tribunal. Many members feel it takes too long for the Appeal Tribunal to resolve matters, others feel that the Appeal Tribunal is too technical and does not understand or address the real issues affecting Settlement members. This feedback, along with positive feedback offered by those who attended our meetings, will be used to improve the Appeal Tribunal's services into the future.

Though our meetings with elders and other Settlement members were instructive, our meetings with Settlement youth in the schools were truly inspirational. Special skits and games about the Appeal Tribunal were developed and delivered by Appeal Tribunal staff, and we were delighted by the enthusiasm with which the students participated in the activities put before them. It was also truly wonderful to see the obvious pride in Metis culture that the students at each and every Settlement school displayed during our visits. It is this same knowledge and pride in Metis culture that the Appeal Tribunal attempts to reflect in every aspect of its work.



Students at Hillview (East Prairie) Elementary School take the "MSAT Challenge"

The Appeal Tribunal was also delighted to receive a recommendation from the Principal of Kikino Elementary, Ms. Laurie Thompson, to work with Alberta Education and develop a learning module that teachers across Alberta can use to teach their students about the Appeal Tribunal. We are pleased to report that Michael Gubbels, Appeal Tribunal Dispute Resolution Officer, responded to Ms. Thompson's recommendation and is developing the learning module for release in 2012. We are also delighted to report that Michael Gubbels received a SOAR (Someone is Outstanding at Aboriginal Relations) Award for his initiative.

The Appeal Tribunal was also very pleased to maintain its relationship with the University of Alberta School of Native Studies. In this regard, University students were partnered with the Appeal Tribunal and provided research and briefings on a myriad of topics of interest to the Appeal Tribunal. The Appeal Tribunal also lectured at the School of Native studies about the Metis Settlements governance framework and about the Appeal Tribunal's dispute resolution processes.

The Appeal Tribunal also met with the Metis Settlements General Council Executive and Minister Len Webber (who was Minister of Aboriginal Relations at the time). The Appeal Tribunal took these valued opportunities to discuss its Business Plan and past Annual Report and to hear about the priorities and objectives of the Accord partners.

The Appeal Tribunal's third and final strategy for increasing accessibility was to secure approval to move the Appeal Tribunal's offices to a location known by, and accessible to, Settlement members and other stakeholders. In this regard, the Appeal Tribunal was delighted to receive support from Aboriginal Relations, and from Alberta Infrastructure, to move its offices to Centurion Plaza; which is where many other Metis Settlement institutions are located, including Settlement Investment Corporation, Strategic Training Initiatives, Region 10 Child and Family Services and the Metis Settlements General Council.



**SOAR Awards**

L to R: Teresa Ng (30 year service award), Michael Gubbels (Innovation Award), Donavon Young, ADM, and Shirley Kopichanski (5 year service award)

As set out in its Business Plan for 2011 – 2014, the Appeal Tribunal's third key objective was to continue managing its operations in a manner that is transparent and accountable. This necessitates ongoing and diligent oversight of all expenditures in compliance with provincial statutes and departmental practice directives, issuance of quarterly forecasts and expenditure reports, and oversight and support of employees in line with the Public Service Act and other legislation.

The Appeal Tribunal also continues to utilize and adhere to Government of Alberta standards and practices in managing its finances, general administration, planning, reporting, and human resources.

The Appeal Tribunal reports its activities on a calendar year basis, from January 1 to December 31. However, its financial reporting period follows the provincial government fiscal year from April of the preceding year (2010) to March of the current reporting year (2011). (See table 1.6.)

	2010/2011		2009/2010	
	Authorized Budget	Actual Expenditure	Authorized Budget	Actual Expenditure
Manpower <sup>3</sup>	\$ 666,500	\$ 647,000	\$ 619,000	\$ 588,118
Supplies & Services <sup>4</sup>	<u>\$ 452,500</u>	<u>\$ 437,000</u>	<u>\$ 473,000</u>	<u>\$ 478,674</u>
Asset Purchase				
<b>Total</b>	<b><u>\$1,119,000</u></b>	<b><u>\$1,084,000</u></b>	<b><u>\$1,092,000</u></b>	<b><u>\$1,066,792</u></b>
Unexpended (Over-expended)		35,000		25,208

**Table 1.6**

<sup>3</sup> Manpower includes salaried and wage employees.

<sup>4</sup> Supplies and Services includes all contracts/per diems and business related expenses



**METIS SETTLEMENTS APPEAL TRIBUNAL**

**ORDERS ISSUED – January 2011 to December 2011**

- **Order 230 Descent of Property**  
Between: Glen Durocher, Appellant and Fishing Lake Metis Settlement, Respondent and Angie Durocher, Darrell Durocher, Danielle Durocher, Joseph Durocher, Robert Durocher, Rose Durocher, Russell Durocher, Wendy Durocher, Metis Settlements General Council and Metis Settlements Land Registry, Affected Parties  
*Finding: Appellant does not have a right of appeal because he did not file his appeal in time, and there are no special circumstances to justify an extension of the appeal deadline.*
- **Order 229 Land Dispute**  
Between: Holly Ladouceur, Appellant and Glenn Ladouceur (Power of Attorney for Wayne Ladouceur), Marty Ladouceur, Murray Ladouceur, Mariette Boucher, Sherry Ladouceur and Buffalo Lake Metis Settlement, Respondents and Metis Settlements General Council, and Metis Settlements Land Registry, Other Parties  
*Finding: Appellant does not have a right of appeal because she did not file her appeal in time, and there are no special circumstances to justify an extension of the appeal deadline.*
- **Order 228 Land Dispute**  
Between: Yvonne Marie Boucher, Appellant and Tauren White, Respondent and Kayla Collins, Kikino Metis Settlement, and Metis Settlements Land Registry, Affected Parties  
*Finding: Appeal dismissed. A covenant on title only applies to how land is used. As currently constructed, the Metis Settlements Land Policy does not allow restrictions (via covenants) to be placed on how interests in land might be transferred.*
- **Order 227 Land Dispute**  
Between: Gerald Payou, Appellant and East Prairie Metis Settlement, Respondent and Richard Patenaude, Metis Settlements General Council and Metis Settlements Land Registry, Other Parties  
*Finding: Appeal dismissed. Appellant was provided with sufficient information verbally and in writing concerning obligations with respect to converting PMT interest.*
- **Order 226 Descent of Property**  
Between: Sheila Pruden, Rocky Pruden, Loretta Pruden, Appellants and Ernest Pruden, Luke Pruden, Terrence Pruden, Barry Pruden, Kikino Metis Settlement (as Land Trustee), Respondents and Metis Settlements General Council, Metis Settlements Land Registry, Other Parties  
*Finding: Kikino Settlement Council's award of deceased's interests in land to be set aside, in part because Council, in its role as land trustee, did not ascertain substantial agreement of family before awarding interests in land. This Tribunal decision is currently under review by Alberta Court of Appeal.*

▪ **Order 225 Land Dispute**

Between: Judy Desjarlais, Appellant and Elizabeth Metis Settlement, Respondent and Harvey Desjarlais, Metis Settlements General Council and Metis Settlements Land Registry, Other Parties

*Finding: Council is obligated by its fiduciary duty (a duty that inspires public trust and confidence in Council) and the principles of good governance to provide the Appellant with their reasons for denying the Appellant's application for an interest in land (that was previously held by the Appellant). Parties directed to meet to discuss the reasons why the Appellant's application for a PMT interest was denied.*

▪ **Order 224 Land Dispute**

Between: Rodney Patenaude, Appellant and Margaret Patenaude, Respondent and Peter Patenaude, East Prairie Metis Settlement, Metis Settlements General Council, Metis Settlements Land Registry, Other Parties

*Finding: Appellant does not have a right of appeal because he did not file his appeal in time, and there are no special circumstances to justify an extension of the appeal deadline.*

▪ **Order 223 Membership Dispute**

Between: Timothy Chance Patenaude, Appellant and Buffalo Lake Metis Settlement, Respondents and Metis Settlements General Council, Metis Settlements Land Registry, Other Parties

*Finding: The Appellant met the conditions set out in the Metis Settlements Act for proving Metis identity. Probationary membership granted.*

▪ **Order 222 Descent of Property**

Between: East Prairie Metis Settlement, Appellant and Lorne L'Hirondelle, Calvin L'Hirondelle, Christopher L'Hirondelle, Laurel Casavant, Hollie Tataryn, Shelley Schram, Allan Williams, Robert W. L'Hirondelle, Kenneth M. L'Hirondelle Sr., Peter L'Hirondelle, Lloyd L'Hirondelle, Violet L'Hirondelle, Respondents and Metis Settlements Land Registry, Other Party

*Finding: The East Prairie Metis Settlement directed to dissolve the deceased's estate account and distribute proceeds to deceased's seven children. Metis Title interests cancelled and new PMT interests to be registered in names of Kenneth L'Hirondelle and Robert L'Hirondelle.*

## Appendix Two

### METIS SETTLEMENTS APPEAL TRIBUNAL

#### Land Access Panels

#### LAP ORDERS ISSUED – January 2011 to December 2011

LAP Order Number	Right of Entry Order	Compensation Order	Description	Settlement	Operator
0022/11	0059/86	0751/86	Rate Of Compensation	Fishing Lake	Signalta Resources Limited
0021/11	E2642/85	0168/86	Rate Of Compensation	Fishing Lake	Signalta Resources Limited
0020/11	2015/86	2283/86	Rate Of Compensation	Fishing Lake	Crescent Point Energy Corp.
0019/11	E1171/85	E1920/85	Rate Of Compensation	Fishing Lake	Crescent Point Energy Corp.
0018/11	E1170/85	E1919/85	Rate Of Compensation	Fishing Lake	Crescent Point Energy Corp.
0017/11	E1522/85	E1921/85	Rate Of Compensation	Fishing Lake	Crescent Point Energy Corp.
0016/11	1691/89	2225/89	Change of EMLH*	Gift Lake	Penn West Petroleum Ltd.
0015/11	0260/87	0549/87	Change of EMLH*	Gift Lake	Penn West Petroleum Ltd.
0014/11	E2698/83	E548/84	Change of EMLH*	Gift Lake	Penn West Petroleum Ltd.
0013/11	E870/79	E943/81	Rate Of Compensation	Fishing Lake	Husky Oil Operations Limited.
0012/11	E871/79	E944/81	Rate Of Compensation	Fishing Lake	Husky Oil Operations Limited.
0011/11	E1423/80	E567/84	Rate Of Compensation	Fishing Lake	Husky Oil Operations Limited.
0010/11	E1522/80	E571/84	Rate Of Compensation	Fishing Lake	Husky Oil Operations Limited.
0009/11	E1416/80	E565/84	Rate Of Compensation	Fishing Lake	Husky Oil Operations Limited.
0008/11	E1523/80	E570/84	Rate Of Compensation	Fishing Lake	Husky Oil Operations Limited.
0007/11	E1146/85	E1616/85	Rate Of Compensation	Fishing Lake	Crescent Point Energy Corp.
0006/11	E1744/85	E1923/85	Rate Of Compensation	Fishing Lake	Crescent Point Energy Corp.
0005/11	E1363/80	E1297/81	Rate Of Compensation	Fishing Lake	Crescent Point Energy Corp.
0004/11	E1366/80	E1298/81	Rate Of Compensation	Fishing Lake	Crescent Point Energy Corp.
0003/11	E2435/85	E2513/85	Rate Of Compensation	Fishing Lake	Crescent Point Energy Corp.
0002/11	E199/81	E440/84	Rate Of Compensation	Fishing Lake	Crescent Point Energy Corp.
0001/11	E199/81	E440/84	Rate Of Compensation	Fishing Lake	Crescent Point Energy Corp.

\* "EMLH" - Existing Mineral Lease Holder



# METIS SETTLEMENTS APPEAL TRIBUNAL

For more information, contact us at:


14605 – 134 Avenue, Edmonton, AB, T5L 4S9

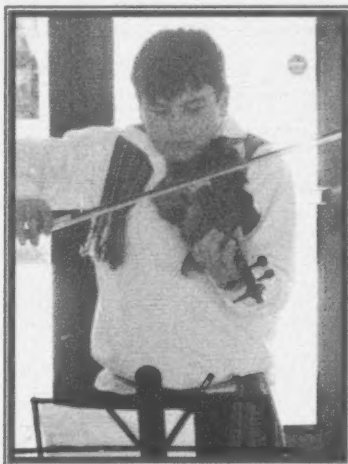
780-422-1541 or *Toll Free 1-800-661-8864* or Fax: 780-422-0019

Or visit our website at [www.msaf.gov.ab.ca](http://www.msaf.gov.ab.ca)

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Ty Thompson- Kikino Elementary